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6 Attorneys for Defendants
7 COX ENTERPRISES, INC. and
AETNA LIFE INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 TODD TOLBERT,) CASE NO. 2:16-cv-02223-JAD-PAL
11 Plaintiff,)
12 vs.)
13 COX ENTERPRISES, INC., as Plan)
Administrator of the Cox Enterprises, Inc.)
Long-Term Disability Coverage Plan;)
AETNA LIFE INSURANCE COMPANY,)
as Claims Administrator for the Cox)
Enterprises, Inc. Long-Term Disability)
Coverage Plan; DOES I through V; and)
ROE CORPORATIONS I through V,)
inclusive,)
18 Defendants.)

**JOINT STIPULATION AND ORDER TO
EXTEND DEADLINES**

(FIRST REQUEST)

19 Defendants Cox Enterprises, Inc. and Aetna Life Insurance Company and Plaintiff Todd
20 Tolbert stipulate and agree as follows:

- 21 1. The Court approved the parties' Discovery Plan and Scheduling Order setting forth
22 ERISA deadlines in its Order dated December 28, 2016 (Doc. 14).
23 2. The Order required, inter alia, the Defendants to file a joint Administrative Record
24 ("AR") with the Court and/or Plaintiff to file any motions related to the contents of the
25 AR, by Thursday, March 16, 2017 (see Section III. B., Doc. 14).
26 3. The parties have exchanged correspondence regarding the proposed contents of the AR
27 and have been conducting concurrent settlement discussions regarding this matter.
28 However, the parties have identified potential issues regarding the filing of the AR that

would necessitate a short extension of time to properly resolve. Specifically, given the sheer volume of the Administrative Record (comprising of over 1,500 pages) and the fact that Plaintiff's private medical information is integral to the issues in this case, redaction is impracticable and the Administrative Record must be filed under seal to protect Plaintiff's private information pursuant to F.R.C.P. 5.2(a) and (d).

4. The Parties require additional time to submit a motion to file the AR under seal, pursuant to Local Rule 10-5 and to prepare the voluminous AR filing itself.
5. Accordingly, the parties respectfully request an extension, through Friday, April 7, 2017, to comply with Section III. B. of the Scheduling Order (Doc. 14).
6. This is the parties' first request for an extension of time with respect to the Scheduling Order and is not made for purposes of delay, but rather to allow the parties sufficient time to finalize and protect confidential portions of the contents of the AR. By proceeding with this new deadline, the parties seek to avoid potential motion practice regarding the contents of the AR and to forestall the need to file discovery motions.
7. This extension will not affect any remaining deadlines in the Scheduling Order.

DATED: March 15, 2017

DATED: March 15, 2017

LAW OFFICE OF JULIE A. MERSCH

GORDON & REES, LLP

By: _____/s/ Julie A. Mersch_____

By: _____/s/ Phil W. Su_____

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COMPANY

IT IS SO ORDERED:

Dated this 3rd day of April, 2017.


UNITED STATES MAGISTRATE JUDGE